

Fill in this information to identify your case:

United States Bankruptcy Court for the:

DISTRICT OF OREGON

Case number (if known) Chapter 11

☐ Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

4/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name B. & J. Property Investments, Inc.

2. All other names debtor used in the last 8 years
Include any assumed names, trade names and doing business as names

3. Debtor's federal Employer Identification Number (EIN) 93-1143149

4. Debtor's address Principal place of business Mailing address, if different from principal place of business
4490 Silverton Rd. NE
Salem, OR 97305
Number, Street, City, State & ZIP Code P.O. Box, Number, Street, City, State & ZIP Code
Marion
County Location of principal assets, if different from principal place of business
Number, Street, City, State & ZIP Code

5. Debtor's website (URL)

6. Type of debtor
☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))
☐ Partnership (excluding LLP)
☐ Other. Specify:

7. Describe debtor's business

A. Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
☐ Railroad (as defined in 11 U.S.C. § 101(44))
☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
☒ None of the above

B. Check all that apply

- ☐ Tax-exempt entity (as described in 26 U.S.C. §501)
☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)
☐ Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

*C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.
See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.*

5324

8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

- ☐ Chapter 7
☐ Chapter 9

☒ Chapter 11. *Check all that apply:*

- ☐ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
☐ A plan is being filed with this petition.
☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

- ☒ No.
☐ Yes.

If more than 2 cases, attach a separate list.

District	_____	When	_____	Case number	_____
District	_____	When	_____	Case number	_____

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

- ☒ No
☐ Yes.

List all cases. If more than 1, attach a separate list

Debtor	_____	Relationship	_____
District	_____	When	_____
		Case number, if known	_____

11. Why is the case filed in this district?

Check all that apply:

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

☒ No

☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard?

☐ It needs to be physically secured or protected from the weather.

☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

☐ Other

Where is the property?

Number, Street, City, State & ZIP Code

Is the property insured?

☐ No

☐ Yes. Insurance agency

Contact name

Phone

Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors

☐ 1-49

☒ 50-99

☐ 100-199

☐ 200-999

☐ 1,000-5,000

☐ 5001-10,000

☐ 10,001-25,000

☐ 25,001-50,000

☐ 50,001-100,000

☐ More than 100,000

15. Estimated Assets

☐ \$0 - \$50,000

☐ \$50,001 - \$100,000

☐ \$100,001 - \$500,000

☐ \$500,001 - \$1 million

☒ \$1,000,001 - \$10 million

☐ \$10,000,001 - \$50 million

☐ \$50,000,001 - \$100 million

☐ \$100,000,001 - \$500 million

☐ \$500,000,001 - \$1 billion

☐ \$1,000,000,001 - \$10 billion

☐ \$10,000,000,001 - \$50 billion

☐ More than \$50 billion

16. Estimated liabilities

☐ \$0 - \$50,000

☐ \$50,001 - \$100,000

☐ \$100,001 - \$500,000

☐ \$500,001 - \$1 million

☒ \$1,000,001 - \$10 million

☐ \$10,000,001 - \$50 million

☐ \$50,000,001 - \$100 million

☐ \$100,000,001 - \$500 million

☐ \$500,000,001 - \$1 billion

☐ \$1,000,000,001 - \$10 billion

☐ \$10,000,000,001 - \$50 billion

☐ More than \$50 billion

Debtor **B. & J. Property Investments, Inc.**
Name

Case number (if known)

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature
of authorized
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **January 15, 2019**
MM / DD / YYYY

X /s/ William Berman
Signature of authorized representative of debtor

Title **President**

William Berman
Printed name

18. Signature of attorney

X /s/ Timothy J. Conway
Signature of attorney for debtor

Date **January 15, 2019**
MM / DD / YYYY

Timothy J. Conway 851752
Printed name

Tonkon Torp LLP
Firm name

**1600 Pioneer Tower
888 SW Fifth Ave
Portland, OR 97204-2099**
Number, Street, City, State & ZIP Code

Contact phone **503-221-1440** Email address **tim.conway@tonkon.com**

851752 OR
Bar number and State

1 **Timothy J. Conway**, OSB No. 851752 (Lead Attorney)

Direct Dial: (503) 802-2027

2 Facsimile: (503) 972-3727

E-Mail: tim.conway@tonkon.com

3 **Ava L. Schoen**, OSB No. 044072

Direct Dial: (503) 802-2143

4 Facsimile: (503) 972-3843

E-Mail: ava.schoen@tonkon.com

5 **TONKON TORP LLP**

1600 Pioneer Tower

6 888 S.W. Fifth Avenue

Portland, OR 97204

7 Attorneys for Debtor

10 UNITED STATES BANKRUPTCY COURT

11 DISTRICT OF OREGON

12 In re

13 B. & J. Property Investments, Inc.,

14 Debtor.

Case No.

**DISCLOSURE OF
COMPENSATION OF ATTORNEY
FOR DEBTOR PURSUANT TO
RULE 2016(b)**

16 Tonkon Torp LLP ("Tonkon"), pursuant to Bankruptcy Rule 2016(b), states
17 that:

18 1. Tonkon has been engaged by Debtor herein to act as its general
19 bankruptcy counsel in this case.

20 2. In the twelve months preceding the filing of this Chapter 11 case,
21 Tonkon received the payments set forth in its Rule 2014 Verified Statement for Proposed
22 Professional and a \$100,000 retainer on June 21, 2018. Immediately prior to filing the
23 Petition, \$26,513.50 was applied from the retainer to current fees and costs, incurred prior to
24 the Petition, which includes the bankruptcy filing fee of \$1,717.00. The remaining retainer
25 balance of \$73,486.50 is held in Tonkon's trust account. All payments were made to Tonkon
26 from the Debtor.

- 1 3. The filing fee for commencing this Chapter 11 case will be paid in full.
- 2 4. The source of payments to be made by Debtor to Tonkon for legal
- 3 services, filing fees, and costs incurred in or in connection with this case will be from the
- 4 Debtor and from property of the bankruptcy estate. Tonkon has not shared or agreed to share
- 5 with any person, other than its members, any compensation paid or to be paid.

6 DATED this 17th day of January 2019.

7 TONKON TORP LLP

8

9 By /s/ Timothy J. Conway

10 Timothy J. Conway, OSB No. 851752

11 Ava L. Schoen, OSB No. 044072

 Attorneys for Debtor

038533/00001/8577096v1

Fill in this information to identify the case:Debtor name **B. & J. Property Investments, Inc.**United States Bankruptcy Court for the: **DISTRICT OF OREGON**

Case number (if known): _____

☐ Check if this is an
amended filing**Official Form 204****Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders****12/15**

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Class Action Plaintiffs c/o Brady Mertz Brady Mertz PC 345 Lincoln St. Salem, OR 97302	Brady Mertz 503-385-0121 brady@bradymertz.com	Class action judgment	Disputed			\$4,864,951.00
Saalfeld Griggs PC c/o Hunter Emerick POB 470 Salem, OR 97308	Hunter Emerick 503-399-1070 hemerick@sglaw.com	Legal expenses.				\$293,354.49
Portland General Electric POB 4438 Portland, OR 97208	503-228-6322	Precautionary.	Disputed			\$10,000.00
Judson's Plumbing POB12669 Salem, OR 97330	503-363-4141	Precautionary.	Disputed			\$6,500.00
City of Salem 555 Liberty St. SE, Room 230 Salem, OR 97301	503-588-6099	Precautionary.	Disputed			\$3,200.00
Comcast Business POB 34744 Seattle, WA 98124-1744	855-307-4896	Precautionary.	Disputed			\$3,029.19
Pacific Source POB 7068 Springfield, OR 97475-0068	800-624-6052	Precautionary.	Disputed			\$3,011.80
Pacific Sanitation POB 17669 Salem, OR 97305	503-393-1031	Precautionary.	Disputed			\$2,400.00
US Bank POB 6352 Fargo, ND 58125-6352	866-485-4545	Precautionary.	Disputed			\$1,000.00

Debtor **B. & J. Property Investments, Inc.**
Name

Case number (if known)

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services,	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Miller Paint 390 Lancaster Dr. NE Salem, OR 97301	503-364-2264	Precautionary.	Disputed			\$1,000.00
HotSuff Spas & Pool 1840 Lancaster Dr. NE Salem, OR 97305	503-362-4883	Precautionary.	Disputed			\$1,000.00
NW Natural Gas POB 6017 Portland, OR 97228-6017	800-422-4012	Precautionary.	Disputed			\$700.00
Chateau Locks 1820 47th Terrace East Bradenton, FL 34203-3773	800-833-9296	Precautionary.	Disputed			\$450.00
American Funds POB 6007 Indianapolis, IN 46206-6007	800-421-4225	Precautionary.	Disputed			\$400.00
Century Link POB 21155 Seattle, WA 98111-9255	877-453-9407	Precautionary.	Disputed			\$346.00
Walter Nelson Company 1270 Commercial St. NE Salem, OR 97301	503-383-2374	Precautionary.	Disputed			\$300.00
Statesman Journal 280 Church St. Salem, OR 97301	800-452-2511	Precautionary.	Disputed			\$300.00
Pacific Screening POB 25582 Portland, OR 97298	503-297-1941	Precautionary.	Disputed			\$300.00
US Bank POB 6352 Fargo, ND 58125-6352	866-485-4545	Credit card.				\$300.00
DEX Media Dex Media Attn: Client Care 1615 Bluff City Highway Bristol, TN 37620	844-339-6334	Precautionary.	Disputed			\$298.60

Fill in this information to identify the case:

Debtor name **B. & J. Property Investments, Inc.**

United States Bankruptcy Court for the: **DISTRICT OF OREGON**

Case number (if known) _____

☐ Check if this is an amended filing

Official Form 202

Declaration Under Penalty of Perjury for Non-Individual Debtors

12/15

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Declaration and signature

I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.

I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

- ☐ *Schedule A/B: Assets—Real and Personal Property* (Official Form 206A/B)
- ☐ *Schedule D: Creditors Who Have Claims Secured by Property* (Official Form 206D)
- ☐ *Schedule E/F: Creditors Who Have Unsecured Claims* (Official Form 206E/F)
- ☐ *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G)
- ☐ *Schedule H: Codebtors* (Official Form 206H)
- ☐ *Summary of Assets and Liabilities for Non-Individuals* (Official Form 206Sum)
- ☐ *Amended Schedule*
- ☒ *Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders* (Official Form 204)
- ☐ Other document that requires a declaration _____

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **January 15, 2019**

X /s/ William Berman

Signature of individual signing on behalf of debtor

William Berman

Printed name

President

Position or relationship to debtor

1 **Timothy J. Conway**, OSB No. 851752 (Lead Attorney)

Direct Dial: (503) 802-2027

2 Facsimile: (503) 972-3727

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3 **Ava L. Schoen**, OSB No. 044072

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1600 Pioneer Tower

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Portland, OR 97204

7 Attorneys for Debtor

10 UNITED STATES BANKRUPTCY COURT

11 DISTRICT OF OREGON

12 In re

13 B. & J. Property Investments, Inc.,

14 Debtor.

Case No.

**CERTIFICATE OF SERVICE OF LIST
OF CREDITORS HOLDING
20 LARGEST UNSECURED CLAIMS
ON THE U.S. TRUSTEE**

16 I hereby certify that I served (1) a copy of the List of Creditors Holding 20
17 Largest Unsecured Claims; (2) address mailing labels for Debtor, Debtor's attorney, and a
18 contact person for each creditor on the list; and (3) this Certificate of Service, on the
19 U.S. Trustee at 620 SW Main Street, Room 213, Portland, Oregon 97205, by mailing copies
20 thereof to the address set forth and depositing in the U.S. mail at Portland, Oregon on
21 January 17, 2019.

22 * * *

23 * * *

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26 * * *

1 DATED this 17th day of January, 2019.

2 TONKON TORP LLP

3
4 By /s/ Timothy J. Conway

5 Timothy J. Conway, OSB No. 851752

6 Ava L. Schoen, OSB No. 044072

7 Attorneys for Debtor
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